

Notice of Allowability

Application No.

09/848,173

Examiner

Jean A Gelin

Applicant(s)

BROWN ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/11/04.
2. ☒ The allowed claim(s) is/are 1, 3, 4, 10, 5-9, 11-13, 15, 16, 22, 17-21, 23-25, 27, 28, 34, 29-33, 35, and 36, renumbered as 1-33 respectively.
3. ☒ The drawings filed on 03 May 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This is in response to the Applicant's amendments and arguments filed October 11, 2004 in which claims 1, 3-5, 7, 9, 11-13, 15-19, 21, 23-25, 27, 29, 31, 33, and 35-36 have been amended, and claims 2, 14, and 26 have been canceled. Claims 1, 3-13, 15-25, and 27-36 are currently pending.

Allowable Subject Matter

2. After a further search and thorough examination of the present application and in view of the applicant's arguments and amendments, claims 1, 3, 4, 10, 5-9, 11-13, 15, 16, 22, 17-21, 23-25, 27, 28, 34, 29-33, 35, and 36, renumbered as 1-33 respectively, are found to be in condition of allowance.

3. The following is an examiner's statement of reasons for allowance: the cited prior arts teach obtaining terminal utilization status/environment information including time, date, and current location of the terminal. The cited arts further teach the contents of the current terminal utilization status information, including date, time, place, application, and network environment are copied into corresponding items of utilization status prediction.

As per claims 1, 3, 4, 9, 10, 13, 15, 16, 21, 22, 25, 27, 28, 33, and 34, the Applicant teaches a plurality of user records having position and time information, and adding the location description from the determined transmitting device record to at least one user record having one position coordinate within the proximity to the position coordinate of the determined transmitting device record. These limitations, in

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conjunction with all limitations of the independent and dependent claims, have not been disclosed, taught, or made obvious over the prior art of record.

As per claims 5-6, 17-18, 29-30, the Applicant teaches adding the location description from at least one transmitting device records to at least one user record associated with the user of the wireless device, wherein the user records further include a list of identifying one or more transmitting devices within a proximity to the wireless device of the user, and wherein the added location description is from one transmitting device record for one transmitting device identified in the list. These limitations, in conjunction with all limitations of the independent and dependent claims, have not been disclosed, taught, or made obvious over the prior art of record.

As per claims 7-8, 19-20, 31-32, the Applicant teaches adding the location description from at least one transmitting device records to at least one user record associated with the user of the wireless device, wherein the user records further include a list of identifying one or more transmitting devices within a proximity to the wireless device of the user, receiving with the user wireless device, wireless transmissions from proximate transmitting devices, wherein each wireless transmission identifies one transmitting device, and adding to the list each transmitting device identified in each wireless transmission. These limitations, in conjunction with all limitations of the independent and dependent claims, have not been disclosed, taught, or made obvious over the prior art of record.

As per claims 11, 23 and 35, the Applicant teaches providing records for transmitting devices, wherein each transmitting device record includes at least one

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position coordinate and an associated location description providing information on the position coordinate of the transmitting device, wherein at least one transmitting device record indicates a location boundary defining multiple position coordinates, wherein the location description in the transmitting device record provides information on the location boundary. These limitations, in conjunction with all limitations of the independent and dependent claims, have not been disclosed, taught, or made obvious over the prior art of record.

As per claims 12, 24, and 36, the Applicant teaches providing records for transmitting devices, wherein each transmitting device record includes at least one position coordinate and an associated location description providing information on the position coordinate of the transmitting device, wherein the location description added from the transmitting device record to the record associated with the user include a multimedia file providing information in a multimedia format on the location. These limitations, in conjunction with all limitations of the independent and dependent claims, have not been disclosed, taught, or made obvious over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A Gelin whose telephone number is (703) 305-4847. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R Hudspeth can be reached on (703) 308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGelin
November 10, 2004

JEAN GELIN
PRIMARY EXAMINER

Jean Allard Gelin